

AMENDMENTS TO THE CLAIMS:

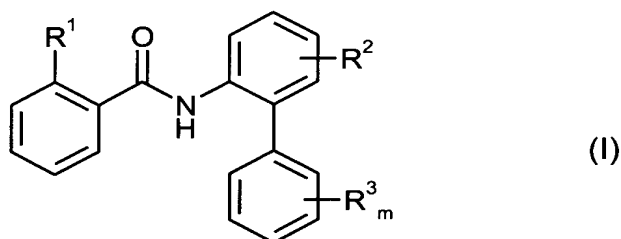
Please change the heading at page 62, line 1, from "**Patent claims**" to
--WHAT IS CLAIMED IS:--

The following listing of claims will replace all prior versions of claims in the application.

Claims 1-21 (canceled)

-- Claim 22 (new): A method for controlling unwanted phytopathogenic microorganisms selected from the classes of the Chytridiomycetes, Zygomycetes, Hemiascomycetes, Plectomycetes, Pyrenomycetes, Laboulbeniomycetes, Loculoascomycetes, Basidiomycetes, and Deuteromycetes and/or harmful microorganisms in the protection of materials selected from Pseudomonadaceae, Rhizobiaceae, Enterobacteriaceae, Corynebacteriaceae, and Streptomycetaceae comprising applying to the microorganisms and/or their habitat a microbicidal composition comprising

(1) one or more biphenylbenzamide derivatives of formula (I)



in which

R¹ represents methyl, trifluoromethyl, chlorine, bromine, or iodine,

R² represents hydrogen or fluorine,

R³ represents halogen, cyano, nitro, C₁-C₆-alkyl, C₁-C₄-alkoxy, C₁-C₄-alkylthio, C₁-C₄-alkylsulphonyl, C₂-C₆-alkenyl, or C₃-C₆-cycloalkyl; or represents C₁-C₆-haloalkyl, C₁-C₆-haloalkoxy, C₁-C₆-haloalkylthio, or C₁-C₆-haloalkylsulphonyl having in each case 1 to 13 halogen atoms, and

m represents 1, 2, 3, 4, or 5, where the radicals R³ may be identical or different if m represents 2, 3, 4, or 5, and

- (2) one or more extenders and/or surfactants.

Claim 23 (new): A method according to Claim 22 wherein, for the biphenylbenzamide derivative of formula (I),

R¹ represents trifluoromethyl, chlorine, bromine, or iodine,

R² represents hydrogen or fluorine,

R³ represents halogen, C₁-C₄-alkyl, C₁-C₄-alkoxy, C₁-C₄-alkylthio, C₂-C₄-alkenyl, cyclopropyl, cyclobutyl, cyclopentyl, or cyclohexyl; or represents C₁-C₄-haloalkyl, C₁-C₄-haloalkoxy, or C₁-C₄-haloalkylthio having in each case 1 to 9 halogen atoms, and

m represents 1, 2, or 3, where the radicals R³ may be identical or different if m represents 2 or 3.

Claim 24 (new): A method according to Claim 22 wherein, for the biphenylbenzamide derivative of formula (I),

R¹ represents trifluoromethyl or iodine,

R² represents hydrogen,

R³ represents fluorine, chlorine, bromine, iodine, methyl, ethyl, n-, i-propyl, n-, i-, s-, or t-butyl, methoxy, ethoxy, methylthio, or ethylthio; or represents C₁-C₂-haloalkyl, C₁-C₂-haloalkoxy, or C₁-C₂-haloalkylthio having in each case 1 to 5 halogen atoms, and

m represents 1 or 2, where the radicals R³ may be identical or different if m represents 2.

Claim 25 (new): A method according to Claim 22 wherein, for the biphenylbenzamide derivative of formula (I),

R¹ represents trifluoromethyl or iodine,

R² represents hydrogen,

R³ represents fluorine, chlorine, bromine, methyl, methoxy, methylthio, trifluoromethyl, trifluoromethoxy, or trifluoromethylthio, and

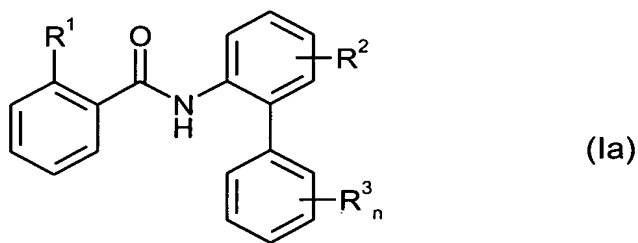
m represents 1, 2, where the radicals R³ may be identical or different if m represents 2.

Claim 26 (new): A method according to Claim 22 wherein the microorganism is a *Xanthomonas* species, *Pseudomonas* species, *Erwinia* species, *Erysiphe* species, *Sphaerotheca* species, *Podosphaera* species, *Venturia* species, *Pyrenophora* species, *Cochliobolus* species, *Uromyces* species, *Puccinia* species, *Tilletia* species, *Ustilago* species, *Pellicularia* species, *Pyricularia* species, *Fusarium* species, *Septoria* species, *Leptosphaeria* species, *Cercospora* species, *Alternaria* species, or *Pseudocercospora* species.

Claim 27 (new): A method according to Claim 22 wherein the microorganism is *Xanthomonas campestris* pv. *oryzae*, *Pseudomonas syringae* pv. *lachrymans*, *Erwinia amylovora*, *Erysiphe graminis*, *Sphaerotheca fuliginea*, *Podosphaera leucotricha*, *Venturia inaequalis*, *Pyrenophora teres* or *P. graminea* (conidia form: *Drechslera*, syn: *Helminthosporium*), *Cochliobolus sativus* (conidia form: *Drechslera*, syn: *Helminthosporium*), *Uromyces appendiculatus*, *Puccinia recondita*, *Tilletia caries*, *Ustilago nuda* or *Ustilago avenae*, *Pellicularia sasakii*, *Pyricularia oryzae*, *Fusarium culmorum*, *Septoria nodorum*, *Leptosphaeria nodorum*, *Cercospora canescens*, *Alternaria brassicae*, or *Pseudocercospora herpotrichoides*.

Claim 28 (new): A process for preparing a microbicidal composition comprising mixing one or more biphenylbenzamide derivatives of formula (I) according to Claim 22 with extenders and/or surfactants.

Claim 29 (new): A biphenylbenzamide derivative of formula (Ia)



in which

R^1 represents methyl, trifluoromethyl, chlorine, bromine, or iodine,

R^2 represents hydrogen or fluorine,

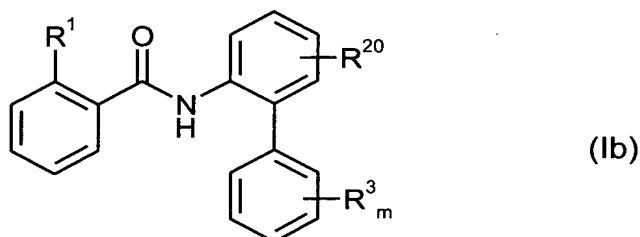
R^3 represents halogen, cyano, nitro, C_1 - C_6 -alkyl, C_1 - C_4 -alkoxy, C_1 - C_4 -alkylthio, C_1 - C_4 -alkylsulphonyl, C_2 - C_6 -alkenyl, or C_3 - C_6 -cycloalkyl; or represents C_1 - C_6 -

haloalkyl, C₁-C₆-haloalkoxy, C₁-C₆-haloalkylthio, or C₁-C₆-haloalkylsulphonyl having in each case 1 to 13 halogen atoms, and
 n represents 2, 3, 4, or 5, where the radicals R³ may be identical or different.

Claim 30 (new): A biphenylbenzamide derivative of formula (Ia) according to Claim 29 in which

R¹ represents trifluoromethyl, chlorine, bromine, or iodine,
 R² represents hydrogen or fluorine,
 R³ represents halogen, C₁-C₄-alkyl, C₁-C₄-alkoxy, C₁-C₄-alkylthio, C₂-C₄-alkenyl, cyclopropyl, cyclobutyl, cyclopentyl, or cyclohexyl; or represents C₁-C₄-haloalkyl, C₁-C₄-haloalkoxy, or C₁-C₄-haloalkylthio having in each case 1 to 9 halogen atoms, and
 n represents 2 or 3, where the radicals R³ may be identical or different.

Claim 31 (new): A biphenylbenzamide derivative of formula (Ib)



in which

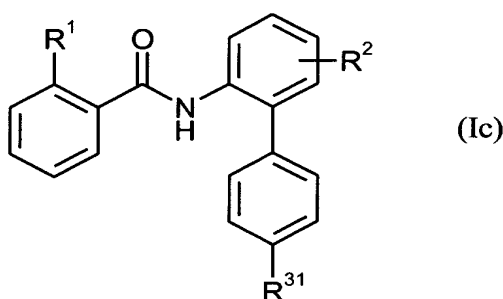
R¹ represents methyl, trifluoromethyl, chlorine, bromine, or iodine,
 R²⁰ represents fluorine,
 R³ represents halogen, cyano, nitro, C₁-C₆-alkyl, C₁-C₄-alkoxy, C₁-C₄-alkylthio, C₁-C₄-alkylsulphonyl, C₂-C₆-alkenyl, or C₃-C₆-cycloalkyl; or represents C₁-C₆-haloalkyl, C₁-C₆-haloalkoxy, C₁-C₆-haloalkylthio, or C₁-C₆-haloalkylsulphonyl having in each case 1 to 13 halogen atoms, and
 m represents 1, 2, 3, 4, or 5, where the radicals R³ may be identical or different if m represents 2, 3, 4, or 5.

Claim 32 (new): A biphenylbenzamide derivative of formula (Ib) according to Claim 31 in which

R¹ represents trifluoromethyl, chlorine, bromine, or iodine,

R^{20} represents fluorine,
 R^3 represents halogen, C_1 - C_4 -alkyl, C_1 - C_4 -alkoxy, C_1 - C_4 -alkylthio, C_2 - C_4 -alkenyl, cyclopropyl, cyclobutyl, cyclopentyl, or cyclohexyl; or represents C_1 - C_4 -haloalkyl, C_1 - C_4 -haloalkoxy or C_1 - C_4 -haloalkylthio having in each case 1 to 9 halogen atoms, and
 m represents 1, 2, or 3, where the radicals R^3 may be identical or different if m represents 2 or 3.

Claim 33 (new): A biphenylbenzamide derivative of formula (Ic)



in which

R^1 represents methyl, trifluoromethyl, chlorine, bromine, or iodine,
 R^2 represents hydrogen or fluorine, and
 R^{31} , R^{32} and R^{33} independently of one another represent halogen, cyano, nitro, C_1 - C_6 -alkyl, C_1 - C_4 -alkoxy, C_1 - C_4 -alkylthio, C_1 - C_4 -alkylsulphonyl, C_2 - C_6 -alkenyl, or C_3 - C_6 -cycloalkyl; or represent C_1 - C_6 -haloalkyl, C_1 - C_6 -haloalkoxy, C_1 - C_6 -haloalkylthio or C_1 - C_6 -haloalkylsulphonyl having in each case 1 to 13 halogen atoms,

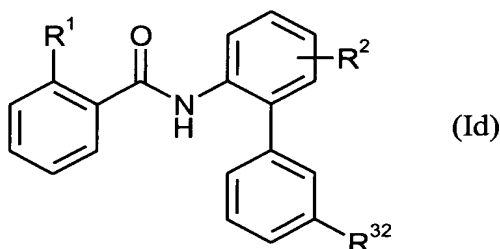
with the proviso that R^{31} and R^{33} each do not represent fluorine if R^1 represents trifluoromethyl and R^2 represents hydrogen.

Claim 34 (new): A biphenylbenzamide derivative of formula (Ic) according to Claim 33
in which

R^1 represents trifluoromethyl, chlorine, bromine, or iodine,
 R^2 represents hydrogen or fluorine, and
 R^{31} , R^{32} and R^{33} independently of one another represent halogen, C_1 - C_4 -alkyl, C_1 - C_4 -alkoxy, C_1 - C_4 -alkylthio, C_2 - C_4 -alkenyl, cyclopropyl, cyclobutyl, cyclopentyl, or

cyclohexyl; or represent C₁-C₄-haloalkyl, C₁-C₄-haloalkoxy or C₁-C₄-haloalkylthio having in each case 1 to 9 halogen atoms, with the proviso that R³¹ and R³³ each do not represent fluorine if R¹ represents trifluoromethyl and R² represents hydrogen.

Claim 35 (new): A biphenylbenzamide derivative of formula (Id)



in which

R¹ represents methyl, trifluoromethyl, chlorine, bromine, or iodine,

R² represents hydrogen or fluorine, and

R³¹, R³² and R³³ independently of one another represent halogen, cyano, nitro, C₁-C₆-alkyl, C₁-C₄-alkoxy, C₁-C₄-alkylthio, C₁-C₄-alkylsulphonyl, C₂-C₆-alkenyl, or C₃-C₆-cycloalkyl; or represent C₁-C₆-haloalkyl, C₁-C₆-haloalkoxy, C₁-C₆-haloalkylthio, or C₁-C₆-haloalkylsulphonyl having in each case 1 to 13 halogen atoms,

with the proviso that R³¹ and R³³ each do not represent fluorine if R¹ represents trifluoromethyl and R² represents hydrogen.

Claim 36 (new): A biphenylbenzamide derivative of formula (Id) according to Claim 35 in which

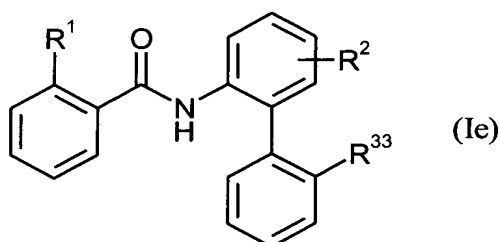
R¹ represents trifluoromethyl, chlorine, bromine, or iodine,

R² represents hydrogen or fluorine, and

R³¹, R³² and R³³ independently of one another represent halogen, C₁-C₄-alkyl, C₁-C₄-alkoxy, C₁-C₄-alkylthio, C₂-C₄-alkenyl, cyclopropyl, cyclobutyl, cyclopentyl, or cyclohexyl; or represent C₁-C₄-haloalkyl, C₁-C₄-haloalkoxy or C₁-C₄-haloalkylthio having in each case 1 to 9 halogen atoms,

with the proviso that R³¹ and R³³ each do not represent fluorine if R¹ represents trifluoromethyl and R² represents hydrogen.

Claim 37 (new): A biphenylbenzamide derivative of formula (Ie)



in which

R^1 represents methyl, trifluoromethyl, chlorine, bromine, or iodine,

R^2 represents hydrogen or fluorine, and

R^{31} , R^{32} and R^{33} independently of one another represent halogen, cyano, nitro, C_1 - C_6 -alkyl, C_1 - C_4 -alkoxy, C_1 - C_4 -alkylthio, C_1 - C_4 -alkylsulphonyl, C_2 - C_6 -alkenyl, or C_3 - C_6 -cycloalkyl; or represent C_1 - C_6 -haloalkyl, C_1 - C_6 -haloalkoxy, C_1 - C_6 -haloalkylthio, or C_1 - C_6 -haloalkylsulphonyl having in each case 1 to 13 halogen atoms,

with the proviso that R^{31} and R^{33} each do not represent fluorine if R^1 represents trifluoromethyl and R^2 represents hydrogen.

Claim 38 (new): A biphenylbenzamide derivative of formula (Ie) according to Claim 37 in which

R^1 represents trifluoromethyl, chlorine, bromine, or iodine,

R^2 represents hydrogen or fluorine, and

R^{31} , R^{32} and R^{33} independently of one another represent halogen, C_1 - C_4 -alkyl, C_1 - C_4 -alkoxy, C_1 - C_4 -alkylthio, C_2 - C_4 -alkenyl, cyclopropyl, cyclobutyl, cyclopentyl, or cyclohexyl; or represent C_1 - C_4 -haloalkyl, C_1 - C_4 -haloalkoxy or C_1 - C_4 -haloalkylthio having in each case 1 to 9 halogen atoms,

with the proviso that R^{31} and R^{33} each do not represent fluorine if R^1 represents trifluoromethyl and R^2 represents hydrogen.

Claim 39 (new): A composition for controlling unwanted microorganisms comprising one or more biphenylbenzamide derivatives of formula (Ia) according to Claim 29 and one or more extenders and/or surfactants.

Claim 40 (new): A composition for controlling unwanted microorganisms comprising one or more biphenylbenzamide derivatives of formula (Ib) according to Claim 31 and one or more extenders and/or surfactants.

Claim 41 (new): A composition for controlling unwanted microorganisms comprising one or more biphenylbenzamide derivatives of formula (Ic) according to Claim 33 and one or more extenders and/or surfactants.

Claim 42 (new): A composition for controlling unwanted microorganisms comprising one or more biphenylbenzamide derivatives of formula (Id) according to Claim 35 and one or more extenders and/or surfactants.

Claim 43 (new): A composition for controlling unwanted microorganisms comprising one or more biphenylbenzamide derivatives of formula (Ie) according to Claim 37 and one or more extenders and/or surfactants.

Claim 44 (new): A method for controlling unwanted microorganisms comprising applying one or more biphenylbenzamide derivatives of formula (Ia) according to Claim 29 to the microorganisms and/or their habitat.

Claim 45 (new): A method for controlling unwanted microorganisms comprising applying one or more biphenylbenzamide derivatives of formula (Ib) according to Claim 31 to the microorganisms and/or their habitat.

Claim 46 (new): A method for controlling unwanted microorganisms comprising applying one or more biphenylbenzamide derivatives of formula (Ic) according to Claim 33 to the microorganisms and/or their habitat.

Claim 47 (new): A method for controlling unwanted microorganisms comprising applying one or more biphenylbenzamide derivatives of formula (Id) according to Claim 35 to the microorganisms and/or their habitat.

Claim 48 (new): A method for controlling unwanted microorganisms comprising applying one or more biphenylbenzamide derivatives of formula (Ie) according to Claim 37 to the microorganisms and/or their habitat.

Claim 49 (new): A process for preparing a composition for controlling unwanted microorganisms comprising mixing one or more biphenylbenzamide derivatives of formula (Ia) according to Claim 29 with one or more extenders and/or surfactants.

Claim 50 (new): A process for preparing a composition for controlling unwanted microorganisms comprising mixing one or more biphenylbenzamide derivatives of formula (Ib) according to Claim 31 with one or more extenders and/or surfactants.

Claim 51 (new): A process for preparing a composition for controlling unwanted microorganisms comprising mixing one or more biphenylbenzamide derivatives of formula (Ic) according to Claim 33 with one or more extenders and/or surfactants.

Claim 52 (new): A process for preparing a composition for controlling unwanted microorganisms comprising mixing one or more biphenylbenzamide derivatives of formula (Id) according to Claim 35 with one or more extenders and/or surfactants.

Claim 53 (new): A process for preparing a composition for controlling unwanted microorganisms comprising mixing one or more biphenylbenzamide derivatives of formula (Ie) according to Claim 37 with one or more extenders and/or surfactants. --